

4. The Plaintiff notified Unit Team and S.I.S. on the harassment of ERIC DRAYTON on November 2, 2002 until December 19, 2002.

5. The Plaintiff administrative remedies have been exhausted.

6. The Plaintiff told Gary Buck & T. Holt on December 20, 2002 "he won't go back to the compound because of D.C. inmates pressuring him for sex.

7. The Plaintiff told Mr. Kindervator & Gary Buck between November 2, 2002 until November 6, 2002, that ERIC DRAYTON and some D.C. inmates were pressuring him for sex and harassing him.

8. The Plaintiff stated to (S.I.S.) and signed Statement That ERIC DRAYTON and some D.C. inmates were pressuring him for sex and harassing him.

9. The Plaintiff was assaulted by ERIC DRAYTON on August 29, 2003.

10. The Plaintiff (Unit Team) had knowledge of Plaintiff in protective custody on November 2, 2002 until December 20, 2002.

11. The Plaintiff that all Defendants had knowledge of Plaintiff in protective custody on November 2, 2002 until December 20, 2002.

12. It is the routine safety at F.C.I. McKean. To keep an inmate protected from harassment. When Plaintiff notify you of harassment.

13. Officer Nero ordered Plaintiff back to population on December 19, 2002.

14. The Plaintiff was assaulted in the Education building on August 29, 2003 by inmate ERIC DRAYTON in the Classroom.

15. It is the routine safety at F.C.I. McKean to keep other inmates out of the Classroom. When Classrooms are in session. And inmates are not supposed to bring Chemicals inside the Classrooms.

16. The Plaintiff was transported to Bradford Regional Medical Center Emergency Department on August 29, 2003.

17. The Plaintiff was seen by Dr. Rainheart after being in Protective Custody after November 1, 2002.

18. The Plaintiff statement to S.I.S. was in writing.

19. The Plaintiff notified Staff of the harassment of ERIC DRAYTON before August 29, 2003.

20. The institution of McKean officials acted in deliberate indifference when investigating Plaintiff protective custody case on November 2, 2002 until December 20, 2002.

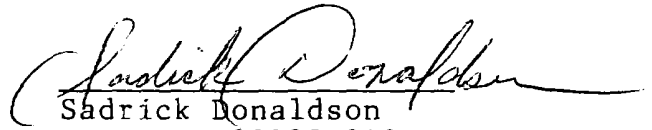
21. The Plaintiff Medical injury on August 29, 2003. By Dr. Olson is a serious Medical injury.

22. The C.O.'s Dorian, Trann, and Super were assigned to Unit B-B when Plaintiff was assigned to Unit B-B.

23. The Plaintiff was in Special Housing Unit. And officials put ERIC DRAYTON in the same cell with Plaintiff.

Date:

3-10-05


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PROOF OF SERVICE

I certify that on 3-10-05 (date) I mailed a copy of this brief and attachments via first class mail to the following parties at the addressess listed below:

PAUL E. SKIRTICH
Assistant U.S. Attorney
U.S. Post Office / Courthouse
700 Grant St, Suite 400
Pittsburgh, PA 15219

PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS

In addition to the above proof of service all litigants who are currently institutionalized or incarcerated should indicate the following statement on all documents to be filed with this Court:

I certify that this document was given to prison officials on 3-10-05 (date) for forwarding to the District Court. I certify under penalty of perjury that the foregoing is true and correct. 28 U.S.C. §1746.


Signature

Dated: 3-10-05